City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
D. M. Sugimura, Director

CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVLOPMENT

Application Number: 2401708

Applicant Name: Wayne Ivary for City of Seattle, DOPAR

Address of Proposal: 4101 Beacon Avenue South

SUMMARY OF PROPOSED ACTION

Council Land Use Action for the future installation of 35 support poles to enclosed a golf driving range with a netting system. The poles will range in height from 60 feet to 115 feet and will enclose Jefferson Park Golf Course Driving Range. Project includes new storm drainage system, grading of approximately 9,500 cubic yards and other site improvements. A Determination of Non-Significance and environmental documents were prepared by the Seattle Department of Parks and Recreation.

The following approval is required:

Council Land Use Action to Modify Development Standards to Allow Additional Structure Height for a City Facility (to a proposed maximum height of 115 feet) (SMC Section 23.76.034.B)

SEPA DETERMINATION: [ ] Exempt [X] DNS* [ ] MDNS [ ] EIS

[ ] DNS with no conditions

[ ] DNS involving non-exempt grading, or demolition, or involving another agency with jurisdiction.

* A Determination of Non-significance (DNS) was prepared by the Seattle Department of Parks and Recreation, dated June 2, 2004. The DNS was published on June 9 and appeal period ended July 2, 2004, with no appeal filed.

BACKGROUND DATA

Site and Vicinity Description

The subject property is located within Jefferson Park, which borders South Spokane Street to the north and Beacon Avenue South, in the Beacon Hill neighborhood. The Park currently contains areas dedicated to a Fire Station, 3-par golf course, a driving range, lawn bowling facilities, a horticultural building, a few small maintenance structures and the Jefferson Community Center among others. The subject area of review is the Jefferson Park Driving Range that encompasses an area of approximately 214,500 square feet. The driving range has a north south orientation, running parallel to Beacon Avenue South. The driving range is approximately 20 feet from Beacon Avenue South and features a one –story structure to provide patrons with a covered structure to practice hitting golf balls. The golf balls are launched into an enclosed perimeter netted area, with twenty-two (60 foot) support poles. Light fixtures are attached to the driving range building and directed northwards, six fixtures are attached to poles with four located along the west perimeter directed eastward.

The site is landscaped with trees and shrubbery around netting perimeter, with grass covering the remaining area. Beacon Avenue South is paved with sidewalks, curbs, gutters and a parking median. On-site surface parking spaces can be found immediately to the south and west of the driving range building. Vehicle access to the development site is obtained through a 16 foot wide driveway abutting Beacon Avenue South, a primary arterial situated along the north/south axis. Beacon Avenue South connects the south end of Seattle to the International District with connecting thoroughfares to Downtown, and Capitol Hill neighborhood. Located in front of the Community Center, just north of the driving range is a Metro bus stop (route #36) that services this south end community.

The subject site is situated within an extensive Single Family 5000 (SF 5000) zone. The site is also located within the Airport Height Overlay District. Within this SF 5000 zone a number of uses can be found including an array of single family residences, a larger golf course to the east of Beacon Avenue South, a small fire station and city reservoir. Asa Mercer Junior High School (Seattle Public Schools) is located to the south fronting South Columbia Way and 16th Avenue South right-of-way. Surrounding the SF 5000 zone are more intensive multifamily zones that include Lowrise One, Two, Three (L1, L2, L3), and Midrise (MR) zones. Modest post WWII residential structures dominate this moderately dense Beacon Hill residential neighborhood. Within the MR and L3 zone, just south of the subject site, fronting Beacon Avenue South, is Puget Sound Health Care System's Veterans Administration Hospital.

Proposal Description

The applicant proposes to reduce the total area of the existing driving range enclosure by approximately 27,000 square feet, to a 250 foot by 750 foot area. The project includes replacing twenty-two existing support poles (60 feet in height) with thirty-five steel support poles ranging in height from 60 feet to 115 feet above grade. The relocated poles will be painted a dark green color to blend in with the netting material up to a height of 60 feet, and the upper portions will be painted a light blue to blend with the sky. Netting material will be attached to the poles to keep golf balls from exiting the driving range. The existing lighting fixtures will be reinstalled at the same height level above grade and will be re-aimed with shields to minimize light spill and glare. Additional improvements include installation of a new drainage system to collect and disperse

storm water run-off into an underground infiltration system. The driving range area inside the support poles will be contoured and feature artificial turf which will require approximately 9,500 cubic yards of grading (including drainage system). Other minor site improvements will be completed during this development phase. In the future a second story maybe added to the driving range building along with new lighting fixtures. No new lighting is proposed to be placed above the 30 foot height limit under this application.

Public Comment

Date of Notice of Application:	May 13, 2004
Date End of Comment Period:	May 26, 2004
# Letter(s) Received	0

ENVIRONMENTAL REVIEW (SEPA)

* A Determination of Non-significance (DNS) was issued by the Seattle Department of Parks and Recreation, dated June 2, 2004. The DNS was published on June 9 and appeal period ended July 2, 2004, with no appeal filed. No further action is required. A summary of environmental effects follow for informational purposes.

Short-term Impacts

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, and a small increase in traffic and parking impacts due to construction workers' vehicles. Existing City codes and ordinances applicable to the project such as: The Noise Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code, would mitigate several construction-related impacts. Following is an analysis of the air, water quality, streets, parking, and construction-related noise impacts as well as mitigation.

The Street Use Ordinance includes regulations that mitigate dust, mud, and circulation. Temporary closure of sidewalks and/or traffic lane(s) would be adequately controlled with a street use permit through the Transportation Department.

Construction of the project is proposed to last for several months. Parking utilization along streets in the vicinity is moderate during the daytime hours and the demand for parking by construction workers during construction is not anticipated to reduce the supply of parking in the vicinity. Parking demand for construction personal can be accommodated on site at nearby surface parking lots if need arises or managed within the right-of-way. Therefore, no further mitigation will be required.

Noise associated with removal and installation of support poles measuring in height to 115 feet above grade and grading activity, is not anticipated to adversely affect the residential areas in the vicinity of the development site. Due to the proximity of areas in residential use (minimum distance in excess of 1,000 linear feet away) and relation to the proposal site, the standards of the Noise Ordinance appear to be adequate to protect the residential neighborhood.

Construction is expected to temporarily add particulates to the air and will result in a slight increase in auto-generated air contaminants from construction worker vehicles; however, this increase is not anticipated to be significant. Federal auto emission controls are the primary means of mitigating air quality impacts from motor vehicles as stated in the Air Quality Policy (Section 25.05.675 SMC). No unusual circumstances exist, which warrant mitigation. Compliance with applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment.

Long-term Impacts

The proposed enclosed driving range area will be decrease; however the height of the support poles and netting will be increased from 60 feet to a staggered maximum height of 115 feet above grade. The support poles will be painted a dark green color below the height of 60 feet to blend in with the surrounding vegetation and fade into a lighter color to blend in with the sky. The applicant proposes to install the most transparent netting available to blend in with the support poles. The site sits nearly 52 feet above the closest residential use which is approximately over 1,000 linear feet away. Mature trees are scattered throughout the park to further reduce potential view impacts that surround the driving range. Due to distance in the vertical and horizontal plane, the impacts on residential uses are anticipated to be nominal. Residential uses to the east and south will not be impacted visually owing in part to Jefferson Park Golf Course to the east and Veterans Administration Hospital to the south, which provides a substantial buffer from residences in the vicinity. The most dramatic visual impact of the netting system will be immediately experienced along Beacon Avenue South right-of-way. Operators of vehicles and pedestrians within the right-of-way are anticipated to focus there attention on activity upon the horizon and generally not be distracted by the driving range nets. The transparency of the net and color of the poles are designed to minimize unwarranted attention. Views from the Park's interior to Downtown and the Olympics are not expected to be interrupted by the location of driving range adjacency to Beacon Avenue South.

Given the apparent effort in the redesign of Jefferson Park Golf Driving Range and the topographic conditions in the area, Parks Department has successfully upgraded the existing city facility with minimal additional visual impacts within this Beacon Hill Community.

Light and Glare

Lights used to illuminate the driving range during the evening hours are not anticipated to change in a manner that would increase the amount of spill over light and glare in this neighborhood. The existing lighting system does not interfere with air navigation and should not pose problems in the future. The FAA has examined the proposal and determined that there will be no adverse impacts on aeronautical operations. The illumination of the driving range upon the surrounding uses will be redesigned to reduce the amount of ambient light. The effected areas are to the west, north, and within Beacon Avenue South right-of-way. No safety hazards or view interference has been identified upon these areas and other areas in the vicinity. Street lighting within Beacon Avenue South minimize the impact of the illuminated driving range in this moderately dense urban community. Seattle Parks and Recreation Department will oversee a lighting study to define and control light levels at the development site. Additional light shields are proposed to further reduce and control light and glare impacts. An additional measure proposed by Parks Department, will seek approval with the city and local community groups to control evening operation hours of driving range.

ANALYSIS – COUNCIL MODIFICATON OF DEVELOPMENT STANDARDS

The following analysis is undertaken pursuant to the provisions SMC 23.76.062.

Evaluation of Proposal Based On Criteria and Policies

The Seattle Department of Parks and Recreation wishes to reconfigure the Jefferson Park Golf Driving Range to reduce the amount of golf balls exiting the site. The existing driving range area will be reduced by approximately 27,000 square feet to provide a greater buffer between the Community Center to the north and pedestrian pathway to the west. The height of the support poles is designed to contain golf balls within the driving range perimeter, and will exceed the 30 foot height limit of the underlying single family zone. This area of Beacon Hill contains a large number of single family housing, in this modestly developed neighborhood. Location of the Jefferson Park Golf Driving Range is nestled within Jefferson Park far away from residential uses. Beacon Avenue South is a primary arterial that provides direct access to the subject site. Golf balls entering into right-of-way continues to cause safety hazards for pedestrian and vehicles alike. The goal is to provide recreational opportunities while safeguarding the public from exposure to hazards of the associated with the recreational activities.

The driving range is located on a parcel of land within a Single Family 5000 (SF 5000) designated zone. The driving range occupying an area of approximately 214,500 square feet and is one of many amenities accessory to Jefferson Park. Development standards for SF 5000 anticipate conventional single family buildings on conventional parcels. These standards also require front, rear and side yards. Height limits are limited to a base height of 30 feet above grade with few exceptions to increase the height limit. Lot coverage and parking requirements are also imposed within this zone. Parks, including golf course driving ranges, are permitted outright in single family zones when they meet all development standards.

The proposed reconfiguration of the driving range and installation of poles extending upwards to 115 above grade is necessary to reduce the number of golf balls exiting the driving range. The driving range serves a function, in the present and likely future, to provide recreationally activity associated with the Jefferson Park Golf Course directly serving this South Seattle Community and the greater public. Parks are public open spaces that provide places for the public to interact while experiencing recreational pleasures both passive and active. In fact, contained within Seattle Comprehensive Plan's (Last amended December 2000) North Beacon, Parks and Recreation Section, specifically states to "Explore and support opportunities to increase usable open space in parks that serve the neighborhood, including at Jefferson Park.

As a result of the latest technology, golfers are hitting the ball further and higher which has seen an increase in the number of balls exiting the driving range. Engineers have determined the additional height and placement of the support poles, to support the netting, will contain the golf balls, even with the addition of a second level driving platform (future phase). The proposed installation of the support poles was designed under direct Parks and Recreation supervision, with periodic briefing with City Council staff. Three presentations were made before the Design Commission. The proposal received approval for the design development from the commission on May 6, 2004. However, the design requires the departures from SF 5000 standards outlined in the chart below in order to be accomplished.

DEVELOPMENT STANDARD	CODE REQUIRED	PROPOSED
Height Limit of SF5000 Zone	Base height limit 30 feet. 23.44.012	60 to 115 feet is necessary to keep golf balls contained within the driving range.
Airport Height Overlay	65 ft allowed in airport Height Overlay District 23.64.006B	Up to 115 feet is necessary to keep golf balls contained within the driving range.

Height Limit of SF5000 Zone

Driving ranges, whether city owned or held in private ownership, are designed to contain golf balls, often within a netting system. With recent advances golf technology, golf balls are traveling further and higher. In order to meet these advancements the flight of the golf balls at Jefferson Park Golf Driving Range necessitates an increase in the height of the netting system to safeguard the public from wayward golf balls. Design parameters of the protective screening nets included the addition of a second level driving platform. The driving range has long been a fixture in this neighborhood providing the public with convenient access to recreational opportunities within an urban center. The proximity of Beacon Avenue South, approximately twenty feet away from the east perimeter netting system has created safety hazards in the right-of-way as previously identified.

Airport Height Overlay District

Since the Airport Height Overlay District is a development standard, city facilities may seek modification to those standards by a Legislative Decision (Type V) by the City Council rather that pursue a Special Exception from the Director. Therefore, modification to Airport Height Overlay development standards shall be considered as part of this Council Action. In order to evaluate the proposed modification, this Analysis and Recommendation has been based on the same criteria specified for Special Exceptions to the Airport Height Overlay.

Pursuant to SMC 23.64.010, the Director may permit a structure to exceed the height limit of Airport Height Districts as a special exception pursuant to Chapter 23.76, procedures for Master Use Permits and Council Land Use Decisions. Such an exception shall only be permitted if the Director finds that all of the following conditions exist:

A. The Federal Aviation Administration advises the Director that the exception to the height limits does not create a hazard to aviation;

B. The additional height is necessary for the successful physical function of the structure;

C. The exception will not result in rerouting of aircraft;

D. The structure is designed to minimize adverse impacts of lighting on surrounding uses while complying with the lighting requirements of the Federal Aviation Administration.

The applicant has submitted copies of documents from the Federal Aviation Administration (FAA) and has provided a rationale to support the Special Exception request, and the project planner has visited the site. The basis for the FAA decision is an evaluation based on the site's proximity to Boeing Field/King County International Airport. The proposal would exceed the Federal Aviation Regulations, Part 77 Horizontal Surface at Boeing Field by a maximum of 305 feet. The proposed construction site is located in an area of rising terrain. The terrain exceeds the conical by a maximum of 165 feet. The study identified structures in the immediate area that are higher than the proposed structure that has been mitigated by marking and lighting.

A. The Federal Aviation Administration advises the Director that the exception to the height limits does not create a hazard to aviation;

The applicant submitted a "Determination of No Hazard to Air Navigation" from FAA's Airspace Branch. At the development site 6 station points relating to Longitude and Latitude where evaluated by the FAA. In all 6 cases, the aeronautical analysis (01-ANM-3055 thru 01-ANM-3060) revealed that the support poles would not exceed obstruction standards and would not create a hazard to air navigation provided the following condition: "Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking and/or lighting are accomplished on a voluntary bases, we recommend it be installed and maintained in accordance with FAA Advisory Circular 70/7460 – 1K Change 1." The FAA included an expiration date on their Determination to allow for reconsideration under changed circumstances. Since the FAA *Determination of No Hazard to Air Navigation* which was submitted for the Director's review expired on May 9, 2003, the project should be conditioned to require that a current Determination be submitted to the Director prior to issuance of any construction permits that would allow any poles or netting to extend into the Airport Height Overlay above the prescribed 65 feet.

B. *The additional height is necessary for the successful physical function of the structure;*

The Department of Parks and Recreation supervised a study evaluating the development site to determine the most effective height of the netting system to contain wayward golf balls from exiting the driving range. The existing 60 foot netting fence does not adequately protect the public from the functional use of the driving range. Golf balls are exiting the protective fencing system at a rate that is anticipated to increase in the future. The design of the protective netting system is designed to align with the trajectory of golf balls to minimize the height impacts. Also, the height of the support poles and net enclosure anticipates future expansion of an upper level deck. Base on submitted materials DPD had determines that the proposal meets the second criterion.

C. *The exception will not result in rerouting of aircraft*;

FAA has determined in the Aeronautical Study referenced above, that the proposed height of the support poles at the 6 station points would not result in rerouting aircraft. They determined the effect on aeronautical operations impact on arrival, departure, and en-route procedures for aircraft operating under Visual and Instrument Flight Rules (VER and IFR, respectively) were not present at the development site. DPD determines that the proposal meets the third criterion.

D. *The structure is designed to minimize adverse impacts of lighting on surrounding uses while complying with the lighting requirements of the Federal Aviation Administration.*

The height and relative location of the existing light fixture program would not change with the replacement and relocation of taller support poles. The applicant proposes to add additional screening shields for further mitigate glare on affected surrounding areas. The existing lighting program has minimized glare impacts on residential properties located to the west and north, at a distance of not less than 1,000 linear feet away. There appears to be no adverse impacts with the existing lighting program's proximity to activity within the Beacon Avenue South right-of-way. After the new poles are set in place and the lights are affixed at a height not to exceeding the

existing vertical plane, adjustments are anticipated to be made promptly to address glare impacts. The FAA has determined that the proposal would not have a substantive adverse effect on the safe and efficient use of navigable airspace by aircraft. DPD determines that the proposal meets the fourth criterion

Land Use Policies

The redeveloped driving range is proposed in a residential, single family zone at a location accessible to a majority of expected users by walking, bicycling, car-pooling, and/or public transit consistent with Capital Facilities Policies CF9 and CF10.

RECOMMENDATION – COUNCIL APPROVAL AND MODIFICATON

The proposed reconfiguration of Jefferson Park Driving Range is expected reduce the number of golf balls exiting the site. Golf balls have shattered vehicle windshields and have come dangerously close to hitting pedestrians in the right of way. The Director recommends that the proposed height of the support poles and siting scheme be approved and the requested departures be **Conditionally Granted**. The Director recommends the following condition:

A current Determination of No Hazard to Air Navigation from the FAA shall be submitted to the Director prior to issuance of any construction permits that would allow any poles or netting to extend into the Airport Height Overlay above the prescribed 65 feet.

Signature: (signature on file) Date: August 23, 2004
Bradley Wilburn, Land Use Planner
Department of Planning and Development

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